

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JEFFCOAT ENTERPRISES, INC.,)

Plaintiff,)

v.)

LINVILLE MEMORIAL FUNERAL)

HOME, INC., BRAD LINVILLE,)

and MADONNA LINVILE,)

Defendants.)

**CASE NUMBER.:
2:19-cv-01467-ACA**

JOINT STATUS REPORT

COME NOW the parties in the above-referenced case, and pursuant to the Court's order, state the following as their joint status report.

1. The claims against, Brad Linville, Madonna Linville, and Linville Memorial Funeral Home: As the Court is aware, Defendants made an Offer of Judgment pursuant to Fed. R. Civ. P. 68, on July 2, 2020. Plaintiff accepted that Offer of Judgment on June 22, 2020. Doc. 36.

The Offer of Judgment did not include a resolution of attorney's fees. The parties are negotiating those fees, in hopes that they can be resolved without court intervention. The parties are also attempting to negotiate a resolution of the entire case, and request ten (10) days to do so before the court enters an order on the Offer of Judgment as to the claims of Jeffcoat against the Linville entities.

2. Linville Memorial Funeral Home's Counterclaim: The only remaining claim in the court is the Counterclaim of Linville Memorial Funeral Home against Jeffcoat Enterprises, Inc. The parties have exchanged additional discovery on that claim, and are in a position to go forward with the remaining discovery through trial. However, the parties are attempting to negotiate a resolution of that counterclaim, along with the affirmative claim of Jeffcoat Enterprises, Inc., which would resolve the whole case.

As stated above, the parties request ten (10) additional days to do that before the court enters an order as to the Offer of Judgment and the fee issue.

3. Mediation: The parties do not object to mediation, however, they have engaged in substantive settlement negotiations on their own, and believe that they can resolve the case, if at all, without the need for a mediation, because there is only the counterclaim, and the attorney's fee issue as to Jeffcoat's affirmative claims to resolve.

Dated this the 23rd day of July, 2020.

/s/ Brian M. Clark

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Linville Memorial Funeral Home and
Brad Linville

/s/ Wesley L. Phillips

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